IN THE UNITED STATES DISTRICT COURT FOR THE WESTERN DISTRICT OF TEXAS AUSTIN DIVISION

FILED 2012 JUN-1 PM 2: 15

SOUTHWEST PHARMACY SOLUTIONS, INC. d/b/a AMERICAN PHARMACIES, Plaintiff

-VS-

Case No. A-12-CA-142-SS

THOMAS SUEHS, EXECUTIVE COMMISSIONER OF THE TEXAS HEALTH AND HUMAN SERVICES COMMISSION,

Defendant

ORDER

BE IT REMEMBERED on the __/ac_day of June 2012 the Court entered its order granting Defendant's motion to dismiss, and thereafter enters the following:

IT IS ORDERED that the above-styled and numbered cause be, and the same is hereby, DISMISSED WITHOUT PREJUDICE to the rights of any party herein with each party to bear their own costs.

IT IS FURTHER ORDERED that all pending motions are terminated.

SIGNED on this the _____day of June, 2012.

SAM SPARKS

UNITED STATES DISTRICT JUDGE